

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE: \_\_\_\_\_ )  
JACOB HANS ANDERSEN \_\_\_\_\_ )  
Last four digits of social security #: 9192 \_\_\_\_\_ )  
\_\_\_\_\_) CASE NO.: 16-00966  
\_\_\_\_\_) CHAPTER: 7  
\_\_\_\_\_) MOTION TO AVOID JUDICIAL LIEN (11U.S.C. §522(F)  
\_\_\_\_\_) (1)(A))<sup>1</sup>  
Debtor. \_\_\_\_\_ )

TO THE TRUSTEE (if one is appointed) AND JUDGMENT LIEN CREDITOR LISTED BELOW:

Name of creditor and description of property securing lien	Estimated judicial lien	Total of all senior/ unavoidable liens	Applicable Exemption and Code Section	Value of the debtor's interest in property	Judicial lien not avoided	Judicial lien avoided <sup>2</sup>
Johnstone Supply (entered 12/5/14) - real property located at 52A Spring Street, Charleston, SC	\$19,000	\$453,781	\$58,225 - S.C. Code Ann. § 15-41-30(A)(1)	\$0	\$0	\$19,000

The Debtor hereby moves, in accordance with 11 U.S.C. §522(f)(1)(A), to avoid the judicial lien held by the creditor named above in the amount listed above on the grounds that the judicial lien impairs the exemptions to which the debtor would otherwise be entitled under 11 U.S.C. § 522(b) and Chapter 41 of Title 15, Code of Laws of South Carolina, 1976 (as amended). The undersigned certifies the following:

(a) The judicial lien referenced above represents a judgment which has been recorded in a county in which the Debtor own real estate or in which there is a levy/attachment on personal property; and

(b) The property on which the judicial lien is sought to be avoided is owned by the Debtor and the Debtor is entitled to an exemption therein.

Date: April 15, 2016

/s/ Ann U. Bell  
Ann U. Bell  
Dist Ct. ID: 10372  
3955 Faber Place Drive  
Suite 103  
Charleston, SC 29405

<sup>1</sup>This form is for use only chapter 7, chapter 11 and chapter 12 cases where the property subject to the lien is not co-owned as contemplated in *In re Ware*, 274 B.R. 206 (Bankr. D.S.C. 2001).

<sup>2</sup>The judicial lien is avoided to the extent that the sum of the judicial lien plus the total of all senior/unavoidable liens plus the amount of the exemption that the debtor could claim exceeds the value of the debtor's interest in property.

**CERTIFICATE OF SERVICE**

The undersigned certifies that the Motion, Notice, and Proposed Order have been properly served on Creditor Johnstone Supply; 2572 Oscar Johnson; North Charleston, SC 29405 and on the Trustee, Michelle Vieira, by electronic service through CM/ECF.

/s/ Lillian LaPorte  
Office Personnel

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE: )  
JACOB HANS ANDERSEN ) CASE NO.: 16-00966  
Last four digits of social security #: 9192 ) CHAPTER: 7  
 ) NOTICE OF MOTION TO AVOID JUDICIAL  
 ) LIEN (11 U.S.C. § 522(F)(1)(A)) AND OPPORTUNITY  
Debtor. ) FOR HEARING

TAKE NOTICE that Debtor filed a Motion to Avoid Judicial Lien on April 15, 2016

A copy of the motion and proposed order accompanies this notice.

TAKE FURTHER NOTICE that any response, return, and/or objection to this motion should be filed with the Court no later than **twenty-eight (28) days** from service of motion and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this motion, except at the direction of the judge, unless a response, return, and/or objection is timely filed and served, in which case the Court will conduct a hearing on **June 14, 2016 at 9:00 a.m., at 145 King Street, Room 225, Charleston, SC 29401**. No further notice of this hearing will be given.

April 15, 2016

/s/ Ann U. Bell  
Ann U. Bell  
Dist Ct. ID #: 10372  
Drose Law Firm  
Attorneys for Debtors  
3955 Faber Place Drive  
Suite 103  
Charleston, SC 29405  
(843) 767-8888  
[drose@droselaw.com](mailto:drose@droselaw.com)